

Chiharu Sekino, SBN #306589
Email: csekino@sfmslaw.com
SHEPHERD, FINKELMAN, MILLER & SHAH, LLP
44 Montgomery Street, Suite 650
San Francisco, California 94104
Telephone: (415) 429-5272
Facsimile: (866) 300-7367

Beth E. Terrell, SBN #178181
Email: bterrell@terrellmarshall.com
Jennifer Rust Murray, *Admitted Pro Hac Vice*
Email: jmurray@terrellmarshall.com
Elizabeth A. Adams, SBN #290029
Email: eadams@terrellmarshall.com
TERRELL MARSHALL LAW GROUP PLLC
936 N. 34th Street, Suite 300
Seattle, Washington 98103
Telephone: (206) 816-6603
Facsimile: (206) 319-5450

[Additional Counsel Appear on Signature Page]

Attorneys for Plaintiffs and the Proposed Class

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

ABANTE ROOTER AND PLUMBING,
INC., MARK HANKINS, and PHILIP J.
CHARVAT, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

ALARM.COM INCORPORATED, and
ALARM.COM HOLDINGS, INC.,

Defendants.

NO. 4:15-cv-06314-YGR

**PLAINTIFFS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL**

JURY TRIAL DEMAND

Complaint Filed: December 30, 2015

Honorable Yvonne Gonzalez Rogers

1 TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that, pursuant to Local Rules 79-5 and 7-11, Plaintiffs seek
3 leave to file under seal the document described herein. This Administrative Motion is supported
4 by the Declaration of Jennifer Rust Murray in Support of Administrative Motion to File Under
5 Seal.

6 **ADMINISTRATIVE MOTION TO FILE UNDER SEAL**

7 Plaintiffs are filing a response to Defendants' motion for summary judgment and cross-
8 motion for partial summary judgment. Civil L.R. 79-5(e) states that if the party submitting a
9 motion to file under seal "is seeking to file under seal a document designated as confidential by
10 the opposing party or a non-party pursuant to a protective order, or a document containing
11 information so designated by an opposing party or a non-party, the Submitting Party's
12 declaration in support of the Administrative Motion to File Under Seal must identify the
13 document or portions thereof which contain the designated confidential material and identify the
14 party that has designated the material as confidential ('the Designating Party')."

15 The parties are subject to a stipulated protective order in this case (ECF No. 55).
16 Defendants Alarm.com Incorporated and Alarm.com Holdings, Inc. have designated certain
17 documents as confidential. Plaintiffs now move to file the following documents under seal in
18 compliance with the protective order:

- 19 1. Exhibits 1, 7, 31, and 34 to the Declaration of Beth E. Terrell in Support of
20 Plaintiffs' Response to Defendants' Motion for Summary Judgment and Cross-
21 Motion for Partial Summary Judgment.
22
23
24

2. Excerpts from Plaintiffs' Response to Defendants' Motion for Summary Judgment and Cross Motion for Partial Summary Judgment that quote or discuss the contents of Exhibits 1, 7, 31, and 34.

3. Excerpts from Plaintiffs' Response to Defendants' Separate Statement of Undisputed Facts in Support of Motion for Summary Judgment that quote or discuss the contents of Exhibits 1, 7, 31, and 34.

Plaintiffs request that the Court grant this administrative motion to seal.

RESPECTFULLY SUBMITTED AND DATED this 22nd day of May, 2018.

TERRELL MARSHALL LAW GROUP PLLC

By: Jennifer Rust Murray, Admitted Pro Hac Vice

Beth E. Terrell, SBN #178181

Email: bterrell@terrellmarshall.com

Jennifer Rust Murray, Admitted Pro Hac Vice

Email: jmurray@terrellmarshall.com

Elizabeth A. Adams, SBN #290029

Email: eadams@terrellmarshall.com

936 North 34th Street, Suite 300

Seattle, Washington 98103

Telephone: (206) 816-6603

Facsimile: (206) 319-5450

John W. Barrett, Admitted Pro Hac Vice

E-mail: jbarrett@baileyglasser.com

Email: crobinson@baileyglasser.com

Jonathan R. Marshall, Admitted Pro Hac Vice

Email: jmarshall@baileyglasser.com

Ryan McCune Donovan, Admitted Pro Hac Vice

Email: rdonovan@baileyglasser.com

BAILEY & GLASSER, LLP

209 Capitol Street

Charleston, West Virginia 25301

Telephone: (304) 345-6555

Facsimile: (304) 342-1110

Edward A. Broderick Admitted Pro Hac Vice

Email: ted@broderick-law.com

1 Anthony I. Paronich, *Admitted Pro Hac Vice*
2 Email: anthony@broderick-law.com
3 BRODERICK & PARONICH, P.C.
4 99 High Street, Suite 304
5 Boston, Massachusetts 02110
6 Telephone: (617) 738-7080
7 Facsimile: (617) 830-0327

8 Matthew P. McCue
9 E-mail: mmccue@massattorneys.net
10 THE LAW OFFICE OF MATTHEW P. McCUE
11 1 South Avenue, Suite 3
12 Natick, Massachusetts 01760
13 Telephone: (508) 655-1415
14 Facsimile: (508) 319-3077

15 Chiharu Sekino, SBN #306589
16 Email: csekino@sfmslaw.com
17 SHEPHERD, FINKELMAN, MILLER
18 & SHAH, LLP
19 44 Montgomery Street, Suite 650
20 San Francisco, California 94104
21 Telephone: (415) 429-5272
22 Facsimile: (866) 300-7367

23 James C. Shah, SBN #260435
24 Email: jshah@sfmslaw.com
SHEPHERD, FINKELMAN, MILLER
& SHAH, LLP
35 East State Street
Media, Pennsylvania 19063
Telephone: (610) 891-9880
Facsimile: (866) 300-7367

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I, Jennifer Rust Murray, hereby certify that on May 22, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kasey C. Townsend, SBN #152992
Email: ktownsend@murchisonlaw.com
Susan J. Welde, SBN #205401
Email: swelde@murchisonlaw.com
MURCHISON & CUMMING, LLP
275 Battery Street, Suite 850
San Francisco, California 94111
Telephone: (415) 524-4300

Martin W. Jaszczuk, *Admitted Pro Hac Vice*
Email: mjaszczuk@jaszczuk.com
Margaret M. Schuchardt, *Admitted Pro Hac Vice*
Email: mschuchardt@jaszczuk.com
Keith L. Gibson, *Admitted Pro Hac Vice*
Email: kgibson@jaszczuk.com
Seth H. Corthell, *Admitted Pro Hac Vice*
Email: scorthell@jaszczuk.com
Daniel I. Schlessinger, *Admitted Pro Hac Vice*
Email: dschlessinger@jaszczuk.com
JASZCZUK P.C.
311 South Wacker Drive, Suite 1775
Chicago, Illinois 60606
Telephone: (312) 442-0311

Craig S. Primis, *Admitted Pro Hac Vice*
Email: craig.primis@kirkland.com
KIRKLAND & ELLIS LLP
655 Fifteenth Street, N.W.
Washington, DC 20005
Telephone: (202) 879-5921
Facsimile: (202) 879-5200

Attorneys for Defendants Alarm.com Incorporated and Alarm.com Holdings, Inc.

1 DATED this 22nd day of May, 2018.

2 TERRELL MARSHALL LAW GROUP PLLC

3 By: /s/ Jennifer Rust Murray, Admitted Pro Hac Vice

4 Jennifer Rust Murray, *Admitted Pro Hac Vice*

5 Email: jmurray@terrellmarshall.com

6 936 North 34th Street, Suite 300

7 Seattle, Washington 98103-8869

8 Telephone: (206) 816-6603

9 Facsimile: (206) 319-5450

10 *Attorneys for Plaintiffs*